

## **Record of Decision for Delisting Actions**

### **Subsegment 050102- Bayou Joe Marcel- Headwaters to Bayou Des Cannes**

This subsegment was listed on the 1999 court-ordered 303(d) list for Ammonia, Nutrients, and organic enrichment/low dissolved oxygen (DO). Bayou Joe Marcel has been designated by Louisiana as a naturally dystrophic water pursuant to the state water quality standards. The DO criterion are seasonal, with a 5 mg/L minimum for December through February and a 3 mg/L minimum for March through November. Evaluation of twelve monthly samples collected at the designated compliance point near Ville Platte during the 1998 standards compliance sampling season shows that there was only one minor exceedance of the DO criterion during this time. A December 1998 sample result of 4.83 was reported. This is considered to be a minor excursion below the criterion. The percent of exceedances is 8%, and thus, this waterbody is fully meeting its DO criterion according to LDEQ assessment procedures.

Louisiana interprets its DO standards as a direct indicator of nutrient impacts. “Thus when the LDEQ maintains and protects DO, the LDEQ is in effect also limiting and controlling nutrient concentrations and impacts. Therefore, where the DO standard is met, the nutrient standard is also met.” (Decision Document for the Modified Court Ordered §303(d) List, February 29, 2000). Based on this accepted Louisiana interpretation of its water quality standards, delistings are also proposed for the associated listings of ammonia and nutrients.

### **Subsegment 060906- Intracoastal Waterway - New Iberia Southern Drainage Canal to Bayou Sale (Estuarine)**

This subsegment was listed on the 1999 court-ordered 303(d) list as not meeting criterion for nutrients. This portion of the Intracoastal Waterway has been designated as an estuarine subsegment pursuant to state water quality standards. The DO criterion for subsegments with estuarine designations is 4.0 mg/L. A review of data collected at the designated water quality sampling point on the Intracoastal Waterway at Cypremort Point Drawbridge indicates that only one sample was below the DO criterion. This yields a 9% exceedance of the criterion, and thus, this waterbody is fully meeting its DO criterion according to LDEQ assessment procedures.

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### **Subsegment 061101 - Bayou Petite Anse - Bayou Carlin at Fresh-brackish marsh boundary to Vermilion Bay (Estuarine)**

This subsegment was listed on the 1999 court-ordered 303(d) list as not meeting criterion for

nutrients. This subsegment has been designated by Louisiana as an estuarine subsegment pursuant to state water quality standards. The DO criterion for subsegments with estuarine designations is 4.0 mg/L. A review of data collected at the designated water quality sampling point Petite Anse indicates that no samples for DO were below the criterion. This waterbody is fully meeting its DO criterion according to LDEQ assessment procedures.

Louisiana interprets its DO standards as a direct indicator of nutrient impacts. “Thus when the LDEQ maintains and protects DO, the LDEQ is in effect also limiting and controlling nutrient concentrations and impacts. Therefore, where the DO standard is met, the nutrient standard is also met.” (Decision Document for the Modified Court Ordered §303(d) List, February 29, 2000). Based on this accepted Louisiana interpretation of its water quality standards, delisting is also proposed for the associated listing of nutrients.

#### **Subsegment 060204- Bayou Courtableau- Origin to West Atchafalaya Borrow Pit Canal**

In May 2001, EPA Region 6 established a TMDL for Oil and Grease for Bayou Courtableau. This TMDL was based largely on samples and observations made by EPA staff during surveys conducted in November 2000 through January 2001. From this data one sample of four collected was found to be greater than the minimum detection level for oil and grease. On May 31, 2001, EPA proposed a TMDL based on this single sample exceedance. During the public review period LDEQ offered comments that questioned the validity and representativeness of the exceeding sample. LDEQ also provided additional sampling results and observations, collected during four separate visits. All of these data indicated that oil and grease levels are <5 mg/l.

EPA has reviewed its original data that resulted in the listing and subsequent TMDL and has determined that the sample was questionable in its representativeness in that samples collected from the streamside are not appropriate for assessing stream condition. According to EPA field notes from the sampling event, there was no visible sheen observed on the main waterbody at the time of the sampling. However, a sheen was observed within leaf litter at the waterline either side of the boat ramp. Based on this observation, samples were collected. Four separate sample containers were collected at the time of the event. Two samples were <5 mg/l. Additional samples collected from the waterline adjacent to the boat ramp were 13 and 18 mg/l. Upon further review, EPA believes that there was bias in the collection of these samples and that these results should not by themselves constitute a determination that the waterbody is impaired. A further review of EPA collected data and additional data submitted by LDEQ, support a finding that the subsegment currently is meeting the narrative water quality criterion for oil and grease. Because the waterbody is meeting water quality standards for oil and grease EPA proposes that a TMDL for this waterbody is no longer necessary and withdraws its previously established TMDL.